

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

# UNITED STATES DISTRICT COURT **FILED**

for the

JAN 13 2021

District of

Mark C. McCartt, Clerk  
U.S. DISTRICT COURT

Division

Case No. **21CV-018 JFH-CDL**  
(to be filled in by the Clerk's Office)

**Farhan Ahmed**

*Plaintiff(s)*

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

**Osage County Sheriff  
Osage Nation Police Department  
Osage County District Attorney**

*Defendant(s)*

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

### NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Farhan Ahmed		
Address	5084 North 58 <sup>th</sup> West Ave		
	Tulsa	OK	74126
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Osage		
Telephone Number	918-812-8447		
E-Mail Address	irfahm6@aol.com		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name	DIANE HANMER		
Job or Title <i>(if known)</i>	Osage County District Attorney		
Address	628 Kihekah Ave		
	Pawhuska	OK	74056
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Osage		
Telephone Number	(918) 287-1510		
E-Mail Address <i>(if known)</i>			
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

**Defendant No. 2**

Name	DONALD LAWSON		
Job or Title <i>(if known)</i>	Osage County Sheriff Deputy		
Address	900 St Paul Ave		
	Pawhuska	OK	74056
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Osage		
Telephone Number	(918) 287-3131		
E-Mail Address <i>(if known)</i>			
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

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## Defendant No. 3

Name

MICHAEL FISH

Job or Title (*if known*)

Osage Nation Police Department

Address

1071 Grandview Ave

Pawhuska

OK

74056

City

State

Zip Code

County

Osage

Telephone Number

(918) 287-5510

E-Mail Address (*if known*)
☒ Individual capacity
 ☒ Official capacity

## Defendant No. 4

Name

Job or Title (*if known*)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (*if known*)
☐ Individual capacity
 ☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):
☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Violation of 4th, 5th and 6th amendments of the federal constitution.

OK Stat § 21-781, OK Stat § 21-771,

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

All defendants were employed by their respective employers and acted in furtherance of their employers business interests

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### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

5886 Bratton Rd, Tulsa OK, 74126

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- B. What date and approximate time did the events giving rise to your claim(s) occur?

August 5, 2019; Mid-Day

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- C. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

On August 5, 2019 I contacted 911 to have law enforcement take a collision report and to have my ex-girlfriend removed from my premise. I was assaulted by ex-girlfriend and she damaged my automobile by purposely using her automobile to ram into my automobile. As a result of the assault, I was treated by local ambulance (EMSA).

About 45 minutes after my initial 911 call, Tribal and Local Deputy arrived. Upon the arrival, Local Deputy asked me questions about the incident and began searching my automobile. After about 20 minutes searching my automobile, the Local Deputy found marijuana and drug paraphernalia. Immediately, I was handcuffed and transported to Osage County Jail.

After a falsified and inaccurate incidental report by Local Deputy, and about twenty-four plus hours later I was charged and arrested with 3 counts that included: (assault & battery with a deadly weapon, possession of controlled dangerous substance, unlawful possession of drug paraphernalia.). After spending time in jail, I was able to bond out and retain Legal Counsel. Shortly after bonding out of jail, I was granted a protective order against my ex-girlfriend. On January 16, 2020, all charges were dismissed by District Attorney Office. Since the dismissal, it has been determined by the insurance industry and my insurance company that I was not at fault in the August 5th, 2019 collision incident.

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#### **IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Due to the condition of the Osage county jail I sustained numerous sores and bug bites. Due to this course of malicious process I have sustained extreme emotional and mental distress.

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#### **V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Because of defendant's malicious prosecution, abuse of power, and slanderous acts, I am asking the courts to grant and sustain the losses that was incurred due to defendant's actions. The defendant's action has cause me to lose substantial business; while causing irreparable harm of emotional and mental distress.

Total Actual Damages: \$2,727,700

Litigation related expenses: \$42,150

Business losses: \$2,335,550

Personal health: \$250,000

Mother's Quality of Life: \$100,000

## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 1-13-2021

Signature of Plaintiff

Printed Name of Plaintiff

Farhan Ahmed

1918-812-8447 / 5084 N 58th W Ave  
Tulsa OK 74126

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

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Address

<i>City</i>	<i>State</i>	<i>Zip Code</i>

Telephone Number


E-mail Address